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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH ADMINISTRATION
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
DOMESTIC QUARANTINE NOTICES

BLACK STEM RUST QUARANTINE

(QUARANTINE NO. 38)

Introductory Note

Under this revision of Circular B.E.P.Q. 385, Mahonia dictyota, M. gracilis, and M. pinnata have been added to the list of species which may be shipped into or between the protected States, inasmuch as these three species, which may be horticulturally desirable for use in some of the Western States, have been thoroughly tested and found to be either immune or highly resistant to the black stem rust.

Administrative Instructions

§ 301.38-3 (c) Classification of barberry and mahonia plants.--Pursuant to the authority conferred on the chief of the Bureau of Entomology and Plant Quarantine by regulation 3 (c) of the black stem rust quarantine (§ 301.38-3 (c)), there are hereby designated the species, varieties, or hybrids of barberries and mahonias that are known to be (1) sufficiently resistant to black stem rust to involve no danger of spread of the rust and which may be shipped under permit, and (2) the rust-resistant varieties of the Japanese barberry.

(a) Rust-resistant species which may be shipped to or between the protected States under permit:

Berberis beaniana
Berberis buxifolia
Berberis candidula
Berberis chenaulti (hybrid)
Berberis circumserrata
Berberis concinna
Berberis darwini
Berberis edgeworthiana
Berberis gagnepaini
Berberis gilgiana
Berberis julianae
Berberis koreana
Berberis mentorensis
Berberis poiretii
Berberis sanguinea
Berberis sargentiana
Berberis stenophylla (hybrid)
Berberis triacanthophora

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Berberis verruculosa
Mahonia aquifolium (Berberis)
Mahonia bealei (Berberis)
Mahonia dictyota (Berberis)
Mahonia gracilis (Berberis)
Mahonia nervosa (Berberis)
Mahonia pinnata (Berberis)
Mahonia repens (Berberis)

(b) Rust-resistant varieties of Japanese barberry which may be shipped to any State without permit or restrictions under these regulations:

Berberis thunbergi
Berberis thunbergi var. atropurpurea
Berberis thunbergi var. maximowiczi
Berberis thunbergi var. minor
Berberis thunbergi f. erecta

Paragraph (b) of § 301.38-3 further provides that no permit is required for cuttings (without roots) of mahonia when shipped for decorative purposes and not for propagation.

Barberry and mahonia plants other than those listed in paragraph (a) and (b) above may not be shipped interstate into any of the protected States.

The protected States as listed in the black stem rust quarantine regulations as revised effective December 26, 1944, are: Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Application for permit should be addressed to the Division of Domestic Plant Quarantines, Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 1940 ed. 161; 7 CFR § 301.38-3)

Done at Washington, D. C., this 15th day of January 1945.

P R Annand

Chief, Bureau of Entomology and
Plant Quarantine